

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Petition of) Application No. NG-0047/
the Nebraska Public Advocate for) DR-0002
a Declaratory Ruling, seeking a)
determination that Kinder Mor-)
gan, Inc., n/k/a SourceGas Dis-) PETITION DISMISSED
tribution LLC, improperly imple-)
mented interim and final rates)
in Docket NG-0036 for which cus-)
tomers are entitled to a credit)
or refund.) Entered: July 10, 2007

BY THE COMMISSION:

On May 15, 2007, the Nebraska Public Advocate filed an application seeking a determination that Kinder Morgan, Inc., n/k/a SourceGas Distribution LLC, improperly implemented interim and final rates in Docket NG-0036 for which customers are entitled to a credit or refund. On June 18, 2007, SourceGas, LLC, f/k/a Kinder Morgan, Inc., filed a Response and Motion to Dismiss.

The Commission held a Planning Conference on June 25, 2007, to discuss procedures for this docket. At the conference, the Public Advocate indicated that he would withdraw his Petition and refile in a different format.

On July 6, 2007, the Public Advocate filed a Withdrawal Without Prejudice of Petition for Declaratory Ruling (Withdrawal).

Being fully advised in the premises, the Commission finds that the Public Advocate's Withdrawal should be approved.

O R D E R

IT IS THEREFORE ORDERED by the Commission that the Public Advocate's Withdrawal Without Prejudice of Petition for Declaratory Ruling is approved.

Application No. NG-0047/DR-0002

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MADE AND ENTERED at Lincoln, Nebraska, this 10th day of July, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

David L. Up

Vice-Chairman

Frank E. Landis

Ann C. Bayle

Tim Schram

ATTEST:

John Burianis

Deputy Director

//s// Frank E. Landis